

**Exhibit 54 - Gaynor v. Miller,
December 27, 2016, Order granting Lead
Plaintiff and Appointing Counsel**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KENNETH GAYNOR, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:15-CV-545-TAV-CCS
)	<i>As consolidated with 3:15-cv-546</i>
)	<i>and 3:16-cv-232</i>
DELOY MILLER, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the Motion of the Miller Energy Investors for Appointment as Lead Plaintiff and Approval of Selection of Counsel [Doc. 86], filed on November 8, 2016. The Motion requests that Plaintiffs Kenneth Gaynor, Marcia Goldberg, Gabriel Hull, and Christopher Vorrath serve as Lead Plaintiffs in this action and that Robbins Geller Rudman & Dowd LLP and Barrett Johnson Martin & Garrison, LLC serve as Lead and Local Counsel.

No party has responded in opposition to the Motion, and the time for doing so has expired. See L.R. 7.2 (“Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought.”). Accordingly, the Court finds the Motion of the Miller Energy Investors for Appointment as Lead Plaintiff and Approval of Selection of Counsel [**Doc. 86**] well-taken, and it is **GRANTED**. Plaintiffs Kenneth Gaynor, Marcia Goldberg, Gabriel Hull, and Christopher Vorrath **SHALL** serve as Lead Plaintiffs in this action and Robbins Geller

Rudman & Dowd LLP and Barrett Johnson Martin & Garrison, LLC **SHALL** serve as Lead and Local Counsel. It is further **ORDERED** as follows:

- (1) The Plaintiffs shall file their Master Consolidated Complaint on or before **January 5, 2017**;
- (2) Motions to dismiss shall be filed within forty-five (45) days after filing of the Master Consolidated Complaint;
- (3) The Plaintiffs shall have forty-five (45) days to file their response to motions to dismiss; and
- (4) The Defendants shall have fourteen (14) days to file their reply briefs.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge